Calendar No. 109

99TH CONGRESS
1st Session

SENATE

REPORT
99-42

AMENDING THE PUBLIC BUILDINGS ACT OF 1959

MAY 7 (legislative day, APRIL 15), 1985.—Ordered to be printed

Mr. STAFFORD, from the Committee on Environment and Public Works, submitted the following

REPORT

[To accompany S. 709]

The Committee on Environment and Public Works, to which was referred the bill (S. 709) to amend the Public Buildings Act of 1959 and for other purposes having considered the same, reports favorably thereon with amendments and recommends that the bill (as amended) do pass.

PURPOSE OF LEGISLATION

Section 1 of S. 709 provides that the Commissioner of the Public Buildings Service in the General Services Administration [GSA] be appointed by the President, by and with the advice and consent of the Senate. Currently, the Commissioner is appointed at the discretion of the Administrator of GSA. This section would also raise the level of compensation to level IV of the Executive Schedule from level V.

The significant responsibilities of the Commissioner warrant this selection procedure which is widely used in other departments and agencies for positions of equivalent importance. For example, there are ten Presidentially appointed positions in the Environmental Protection Agency. At the present time, the only official of GSA that is a Presidential appointment is the Administrator.

The Committee expects that this measure shall apply to the incumbent who holds the office of Commissioner of Public Buildings at the time of enactment of this Act.

Section 2 of the bill addresses the Nancy Hanks Center located at the Old Post Office Building in Washington.

Public Law 98-1, dated February 15, 1983, designating the "Nancy Hanks Center" and the "Old Post Office Building," stipu-

51-010 O

S323-5

lated that the Administrator of the GSA was authorized to receive contributions from private individuals or organizations for purposes of erecting an appropriate tribute commemorating the accomplishments of Nancy Hanks. Public Law 98-1, which had originally given the Administrator 6 months to receive contributions, was amended by Public Law 98-148 to allow the Administrator to receive contributions through February 15, 1985. The purpose of this bill is to allow the Administrator to continue to collect contributions.

In 1983, a group of knowledgeable advisors was formed to make recommendations to GSA as to the appropriate tribute to recognize Miss Hanks' efforts in saving the Old Post Office and her contribution to the development of the arts in America. From that group of private citizens, chaired by the Commissioner of the Public Buildings Service, a design group and a finance group were formed. The design group has been working on an appropriate memorial design. After several meetings, a design proposal is underway.

If the design is approved by the design group, a cost estimate will be developed and, if financially feasible, the group will present the design to the approving official organizations. These organizations include the Fine Arts Commission, Pennsylvania Avenue Development Corporation, the National Endowment for the Arts, and the National Endowment for the Humanities.

After the design is approved, the finance group will work to raise any additional funds over the amount set aside by GSA. Thus, given the review required by all approving parties, it is conceivable that the cost analysis and construction procurement process could take another year before actual cost can be determined.

Most importantly, GSA has been approached by private citizens and companies who wish to make financial contributions to the memorial honoring Nancy Hanks. Therefore, the bill provides extension of the legislation in order to receive private donations to assist GSA in the completion of the project.

Section 3 makes a technical amendment in Public Law 98-492 which designated the United States Post Office and courthouse in Pendleton, Oregon, as the "John F. Kilkenny United States Post Office and Courthouse." The bill corrects the spelling of the street name contained in the act to read "Dorion" instead of "Dorian."

Rollcall Votes

Section 7(b) of rule XXVI of the Standing Rules of the Senate and the rules of the Committee on Environment and Public Works require that any rollcall votes taken during consideration of this bill be announced in this report.

There were no rollcall votes taken during consideration of this measure. The bill was approved by voice vote with no dissenting votes.

Evaluation of Regulatory Impact

In compliance with the requirements of paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee has evaluated the regulatory impact of the legislation. The bill imposes no significant, new regulatory requirements.

HEARINGS

No hearings were held during this session on S. 709; however, the major provision of the bill—to establish the position of Commissioner of Public Buildings as a Presidential appointment—has been the subject of hearings as a component of the "Public Buildings Act," which passed the Senate in all of the past three Congresses.

COST OF THE LEGISLATION

Section 403 of the Congressional Budget and Impoundment Control Act requires each report to contain a statement of the cost of the reported bill prepared by the Congressional Budget Office. That statement follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 6, 1985.

Hon. ROBERT T. STAFFORD,
Chairman, Committtee on Environment and Public Works,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed S. 709, a bill to amend the Public Buildings Act of 1959 and for other purposes, as ordered reported by the Senate Committee on Environment and Public Works, May 2, 1985. We estimate that enactment of this bill will result in no significant costs to the Federal Government, and in no costs to state or local governments.

The bill would require the Commissioner of the Public Buildings Service in the General Services Administration [GSA] to be appointed by the President and confirmed by the Senate. Currently, the Commissioner is appointed by the Administrator of GSA. The bill would also raise the Commissioner's compensation from level V to level IV of the Executive Schedule, an increase of $3,600 per year. Other provisions of the bill would have no cost impact.

If you wish further details on this estimate, we will be pleased to provide them.

With best wishes,
Sincerely,

RUDOLPH G. PENNER, *Director.*

CHANGES IN EXISTING LAW

In the opinion of the committee, it is necessary to dispense with the requirement of section 12 of the rule XXVI of the Standing Rules of the Senate in order to expedite the business of the Senate.

○

Calendar No. 120

99TH CONGRESS
1st Session

SENATE

REPORT
99-46

DISASTER RELIEF ACT AUTHORIZATIONS

MAY 14 (legislative day, APRIL 15), 1985.—Ordered to be printed

Mr. HUMPHREY, from the Committee on Environment and Public Works, submitted the following

REPORT

[To accompany S. 1023]

The Committee on Environment and Public Works, to which was referred the bill (S. 1023) to extend authorizations for appropriations for the Disaster Relief Act of 1974, and for other purposes having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF LEGISLATION

The bill provides authorization of appropriations in fiscal year 1986 for the Disaster Relief Act of 1974. There are authorized $194 million to the President's Disaster Relief Fund for the disaster relief program and $6.4 million to the Federal Emergency Management Agency for salaries and expenses associated with administration of the program.

Under the provisions of the Disaster Relief Act, the President is authorized to provide Federal assistance to supplement the efforts and resources of State and local governments in response to major disasters and emergencies.

Based upon a request of the Governor of the affected State, the President may make a declaration of "major disaster" or "emergency." As a part of that request, the Governor is required to certify that the nature of the situation is beyond the capability of the State to respond alone and that Federal assistance is essential. The Governor is also required to commit State resources to the effort.

Under Executive Order 12148, the Federal Emergency Management Agency (FEMA) has been delegated the responsibility for administering the President's Disaster Relief Program.

51-010 O

S323-6

The Committee anticipates that later in this session it will address proposals for substantive amendments to the Disaster Relief Act.

Hearings

Written testimony was submitted by the Federal Emergency Management Agency in connection with the Committee's hearings on the 1986 Budget.

Rollcall Votes

Section 7(b) of rule XXVI of the Standing Rules of the Senate and the rules of the Committee on Environment and Public Works require that any rollcall votes taken during consideration of this bill be announced in this report.

There were no rollcall votes taken during consideration of this measure. The bill was approved by voice vote with no dissenting votes.

Evaluation of Regulatory Impact

In compliance with the requirements of paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee has evaluated the regulatory impact of the legislation. The bill imposes no new regulatory requirements.

Cost of the Legislation

Section 403 of the Congressional Budget and Impoundment Control Act requires each report to contain a statement of the cost of the reported bill prepared by the Congressional Budget Office. That statement follows:

U.S. Congress,
Congressional Budget Office,
Washington, DC, May 6, 1985.

Hon. Robert T. Stafford,
Chairman, Committee on Environment and Public Works,
U.S. Senate, Washington, DC.

Dear Mr. Chairman: The Congressional Budget Office has prepared the attached cost estimate for S. 1023, a bill to extend authorizations for the Disaster Relief Act of 1974, and for other purposes.

If you wish further details on this estimate, we will be pleased to provide them.

With best wishes,

Sincerely,

Rudolph G. Penner, *Director.*

Congressional Budget Office Cost Estimate

1. Bill number: S. 1023.
2. Bill title: A bill to extend authorizations for the Disaster Relief Act of 1974, and for other purposes.
3. Bill status: As ordered reported by the Senate Committee on Environment and Public Works, May 2, 1985.

4. Bill purpose: S. 1023 authorizes the appropriation of $194 million to the President to carry out the provisions of the Disaster Relief Act of 1974. The bill also authorizes the appropriation of $6.4 million to the Federal Emergency Management Agency for expenses incurred in administering the disaster relief program. These amounts are the same as those requested in the President's budget.

5. Estimated cost to the Federal Government:

[By fiscal years, in millions of dollars]

	1986	1987	1988	1989	1990
Authorization level	200				
Estimated outlays	15	121	64		

The costs of this bill fall within budget function 450.

Basis of Estimate: The outlays associated with the bill are based upon historical spending patterns.

6. Estimated cost to State and local governments: None.

7. Estimate comparison: None.

8. Previous CBO estimate: None.

9. Estimate prepared by: Paul M. DiNardo.

10. Estimate approved by: C.G. Nuckols (for James L. Blum, Assistant Director for Budget Analysis).

Changes in Existing Law

In compliance with section 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill as reported are shown as follows: Existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman:

Disaster Relief Act of 1974

(42 U.S.C. 5121 et seq.)

§ 5202. Authorization of appropriations

Except as provided by the amendment made by section 501, [there are authorized to be appropriated to the President such sums as may be necessary to carry out this Act through the close of September 30, 1981, and to the Federal Emergency Management Agency such sums as may be necessary for administrative expenses through the close of September 30, 1981.] *$194,000,000 is authorized to be appropriated to the President to carry out this Act for fiscal year 1986 and $6,400,000 is authorized to be appropriated to the Federal Emergency Management Agency for administrative expenses in fiscal year 1986.*

○